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Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

AMERICAN CIVIL LIBERTIES
UNION OF NORTHERN
CALIFORNIA, SAN FRANCISCO
BAY GUARDIAN, UNIVERSITY
OF CALIFORNIA SANTA CRUZ
STUDENTS AGAINST WAR and
BERKELEY STOP THE WAR
COALITION,

Plaintiffs,

vs.

UNITED STATES DEPARTMENT
OF DEFENSE and its components,
DEPARTMENT OF THE ARMY,
DEPARTMENT OF THE NAVY,
and DEPARTMENT OF THE AIR
FORCE, and DOES 1-10, inclusive,

Defendants.

Case No. CV-06-1698 WHA

STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING TIME TO
FILE POST-JUDGMENT MOTION
FOR ATTORNEYS' FEES AND
EXPENSES

WHEREAS, the parties intend to meet and confer in good faith for the
purpose of resolving plaintiffs' entitlement to post-judgment attorneys' fees and

1 expenses, and the amount of such fees and expenses, if any, pursuant to Federal
2 Rule of Civil Procedure 54(d); and

3 WHEREAS, this stipulation does not reflect defendants' agreement that a
4 motion under Rule 54 is the appropriate procedural vehicle for seeking attorneys'
5 fees in this case, and also does not reflect defendants' agreement that plaintiffs are
6 otherwise entitled to attorneys' fees; and

7 WHEREAS, plaintiffs are required by Federal Rule of Civil Procedure
8 54(d)(2)(B) and Civil Local Rule 54-6 to file a motion for fees and expenses
9 within fourteen (14) days of entry of judgment, that is by June 8, 2006, unless
10 otherwise provided by order of the Court; and

11 WHEREAS, Civil Local Rule 54-6 permits a stipulation to extend time (see
12 Civil Local Rule 54-6 (commentary)); and

13 WHEREAS, the parties need additional time within which to meet and
14 confer and obtain approval of any agreement they may reach,

15 IT IS HEREBY STIPULATED by and between the parties through their
16 counsel of record that the time within which plaintiffs may, if necessary, file a
17 post-judgment motion for attorneys' fees and expenses pursuant to Federal Rule of
18 Civil Procedure 54(d)(2) is extended an additional 60 days to and including
19 August 7, 2006.

20 Dated: May 31, 2006

21 Respectfully submitted,

22 LAW OFFICES OF AMITAI SCHWARTZ

23 By: /s/
24 Amitai Schwartz
25 Attorney for Plaintiffs
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1 Dated: May 31, 2006

PETER D. KEISLER
Assistant Attorney General

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3 KEVIN V. RYAN
United States Attorney

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5 By: _____/s/
Elizabeth J. Shapiro
Samuel C. Kaplan
6 U.S. Department of Justice
Civil Division, Federal Programs Branch
7 Attorneys for Defendants
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10 ORDER

11 Pursuant to the stipulation of the parties and for good cause shown, the time
12 within which plaintiffs may, if necessary, file a post-judgment motion for
13 attorneys' fees and expense pursuant to Federal Rule of Civil Procedure 54(d)(2)
14 is extended an additional 60 days to and including August 7, 2006.

15 IT IS SO ORDERED.

21

June 29

16 Dated: June 1, 2006

